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February 13, 2025

Via ECF & E-Mail

The Honorable Katherine Polk Failla, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Isayeva et al. v. Diamond Braces et al*
Case No. 22-cv-04575

Dear Judge Failla:

This firm represents Defendants in this action. This letter shall serve as Defendants' request for an extension of their deadline to file opposition to Plaintiffs' Motion for Collective Action from February 14, 2025 until February 21, 2025 and that Plaintiffs' deadline to file reply papers be extended from February 21, 2025 until February 28, 2025. The reason for the extension is that Richard Milman, a senior partner at the undersigned's firm, has been out of the office this entire week, thus far, due to illness. Mr. Milman's input is required to complete the opposition papers. Moreover, he has been Defendants' chief settlement negotiator with Plaintiffs' counsel and the primary point of contact with Defendants for purposes of settlement efforts. As referenced in Defendants' most recent letter, the parties have engaged in productive settlement negotiations which can lead to resolution of the action over the past few weeks. However, Defendants have not been able to engage in further dialogue without Mr. Milman's participation. If a resolution is reached, further motion practice will not be necessary. Plaintiffs consent to the extension request. This is Defendants' second request for an extension of these deadlines.

Thank you for your attention to this matter.

Respectfully submitted,
/s/ Matthew A. Brown

cc: All Counsel of Record (via ECF)

Application GRANTED. The Court wishes Mr. Milman a speedy recovery. Defendants' opposition to Plaintiffs' motion for collective action shall be due on or before **February 21, 2025**. Plaintiffs' reply shall be due on or before **February 28, 2025**.

The Clerk of Court is directed to terminate the pending motion at docket entry 119.

Dated: February 14, 2025
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE